

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CONSTANTINE J. GREGORIA,	:	
et. al.,	:	
	:	
Plaintiffs,	:	
	:	CIVIL ACTION
v.	:	
	:	12-4315
TOTAL ASSET RECOVERY, INC.,	:	
et. al.,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 7th day of January 2015, upon consideration of defendants' motion to dismiss (doc. no. 12), plaintiff's response (doc. no. 18), and the parties' reply (doc. no. 19) and surreply (doc. no. 24) thereto, **IT IS HEREBY ORDERED** that:

1. The motion to dismiss (doc. no. 12) is **GRANTED in part**;
2. Count I of the complaint is **DISMISSED with prejudice**;
3. Within 14 days of the entry of this order, plaintiff shall file an amended complaint naming Delaware Title Loans as a party to this action. If plaintiff fails to join Delaware Title Loans, this case will be dismissed with prejudice.

BY THE COURT

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.